



General Assembly

January Session, 2011

**Amendment**

LCO No. 7902

**\*HB0665107902SR0\***

Offered by:  
SEN. MARKLEY, 16<sup>th</sup> Dist.

To: House Bill No. 6651

File No.

Cal. No.

**"AN ACT IMPLEMENTING PROVISIONS OF THE BUDGET  
CONCERNING GENERAL GOVERNMENT."**

1 Strike sections 211 to 215, inclusive, in their entirety and substitute  
2 the following in lieu thereof:

3 "Sec. 211. (NEW) (*Effective July 1, 2011*) (a) There shall be a Board of  
4 Regents for Higher Education who shall serve as the governing body  
5 for the Connecticut State University System and Charter Oak State  
6 College. The board shall consist of nineteen members who shall be  
7 distinguished leaders of the community in Connecticut. The board  
8 shall reflect the state's geographic, racial and ethnic diversity. The  
9 voting members shall not be employed by or be a member of a board  
10 of trustees for any independent institution of higher education in this  
11 state or the Board of Trustees for The University of Connecticut nor  
12 shall they be employed by or be elected officials of any public agency  
13 as defined in subdivision (1) of section 1-200 of the general statutes,  
14 during their term of membership on the Board of Regents for Higher  
15 Education. The Governor shall appoint nine members to the board as

16 follows: Three members for a term of two years; three members for a  
17 term of four years; and three members for a term of six years.  
18 Thereafter, the Governor shall appoint members of the board to  
19 succeed such appointees whose terms expire and each member so  
20 appointed shall hold office for a period of six years from the first day  
21 of July in the year of his or her appointment. Four members of the  
22 board shall be appointed as follows: One appointment by the president  
23 pro tempore of the Senate, who shall be appointed at the discretion of  
24 such president, for a term of four years; one appointment by the  
25 minority leader of the Senate, who shall be an alumnus of the  
26 Connecticut State University System, for a term of three years; one  
27 appointment by the speaker of the House of Representatives, who shall  
28 be a specialist in the education of children in grades kindergarten to  
29 twelve, inclusive, for a term of four years; and one appointment by the  
30 minority leader of the House of Representatives, who shall be an  
31 alumnus of Charter Oak State College, for a term of three years.  
32 Thereafter, such members of the General Assembly shall appoint  
33 members of the board to succeed such appointees whose terms expire  
34 and each member so appointed shall hold office for a period of four  
35 years from the first day of July in the year of his or her appointment.  
36 The chairperson and vice chairperson of the student advisory  
37 committee created under section 10a-3 of the general statutes, as  
38 amended by this act, shall serve as members of the board. The  
39 Commissioners of Education, Economic and Community Development  
40 and Public Health and the Labor Commissioner shall serve as ex-  
41 officio, nonvoting members of the board.

42 (b) The initial members of the Board of Regents for Higher  
43 Education may begin service immediately upon appointment without  
44 regard to section 4-19 of the general statutes, but shall not serve past  
45 the sixth Wednesday of the next regular session of the General  
46 Assembly unless qualified in the manner provided in said section 4-19.  
47 Thereafter, all appointments shall be made with the advice and  
48 consent of the General Assembly, in the manner provided in said  
49 section 4-19. Any vacancy in the Board of Governors of Regents for

50 Higher Education shall be filled in the manner provided in said section  
51 4-19.

52 (c) The Governor shall appoint the chairperson of the board, who  
53 shall serve for a term of three years. The board shall elect from its  
54 members a vice chairperson and such other officers as it deems  
55 necessary. Vacancies among any officers shall be filled within thirty  
56 days following the occurrence of such vacancy in the same manner as  
57 the original selection. Said board shall establish bylaws to govern its  
58 procedures and shall appoint such committees and advisory boards as  
59 may be convenient or necessary in the transaction of its business.

60 Sec. 212. (NEW) (*Effective July 1, 2011*) (a) The Governor shall  
61 appoint an interim president of the Board of Regents for Higher  
62 Education who shall serve as president until a successor is appointed  
63 and confirmed. On or after January 1, 2012, the president of the Board  
64 of Regents for Higher Education shall be recommended by the board  
65 and appointed by the Governor in accordance with the provisions of  
66 sections 4-5 to 4-8, inclusive, of the general statutes with the powers  
67 and duties prescribed by said sections 4-5 to 4-8, inclusive. The  
68 president shall (1) have the responsibility for implementing the  
69 policies and directives of the board and any additional responsibilities  
70 as the board may prescribe, (2) implement the goals identified and  
71 recommendations made pursuant to section 10a-11b of the general  
72 statutes, (3) build interdependent support among the Connecticut State  
73 University System and Charter Oak State College, (4) balance central  
74 authority with institutional differentiation, autonomy and creativity,  
75 and (5) facilitate cooperation and synergy among Connecticut State  
76 University System and Charter Oak State College. Such president may  
77 designate an alternate to serve as a member of any commission,  
78 foundation or committee upon which the general statutes require such  
79 president to serve. Such designee may vote on behalf of such  
80 president. There shall be an executive staff responsible for the  
81 operation of the Board of Regents for Higher Education. The executive  
82 staff shall be under the direction of the president of the Board of  
83 Regents for Higher Education, who shall be the chief executive officer

84 of the Board of Regents for Higher Education and shall administer,  
85 coordinate and supervise the activities of the board in accordance with  
86 the policies established by the board.

87 (b) The president may employ staff as is deemed necessary,  
88 including, but not limited to, temporary assistants and consultants.  
89 The board shall establish terms and conditions of employment of its  
90 staff, prescribe their duties and fix the compensation of its professional  
91 and technical personnel.

92 (c) Upon recommendation of the president, the Board of Regents  
93 shall appoint a vice president who shall serve as a liaison for the Board  
94 of Regents with respect to the Connecticut State University System.

95 Sec. 213. Section 10a-3 of the general statutes is repealed and the  
96 following is substituted in lieu thereof (*Effective July 1, 2011*):

97 (a) There shall be a [standing] student advisory committee which  
98 shall serve as an advisory body to the Board of [Governors of] Regents  
99 for Higher Education to assist the board in performing its statutory  
100 functions. The committee shall consist of the following student  
101 members: [(1)] One member from each of the [Boards of Trustees of the  
102 Connecticut State University System and The University of  
103 Connecticut, two members from the Board of Trustees of the  
104 Community-Technical Colleges, one of whom shall be an alumnus of a  
105 regional technical college or shall have expertise and experience in  
106 business, labor, industry or technical occupations, and one member  
107 from a board of trustees of an independent college; (2) one member  
108 from the administrative staff of each of said constituent units, except  
109 that for the community-technical colleges there shall be two members,  
110 one of whom shall be an administrator at a former technical college,  
111 and one member from the administrative staff of an independent  
112 college; (3) one member from the faculty senate representing each of  
113 said constituent units, except that for the community-technical  
114 colleges, there shall be two faculty members, one of whom shall be a  
115 technical or technological education faculty member at a former

116 technical college, and one member from the faculty of an independent  
117 college; (4) one student from each of said constituent units, except that  
118 for the community-technical colleges there shall be two students one of  
119 whom shall be enrolled in a technical or technological education  
120 program at a former technical college, and one student from an  
121 independent college; (5) one representative of the Board for State  
122 Academic Awards; and (6) one representative from the accredited  
123 private occupational schools of Connecticut] institutions within the  
124 jurisdiction of the Connecticut State University System and one  
125 member from Charter Oak State College. Such members shall serve a  
126 term of two years. If any member ceases to be a matriculating student  
127 in good standing, either as a full-time or part-time undergraduate or  
128 graduate student at the institution within the constituent unit system  
129 that elected such student, the membership of such student shall  
130 terminate. If the membership of any such student member terminates,  
131 the student government organization of the institution of higher  
132 education that elected such member shall, not later than thirty days  
133 after the membership terminates and in such a manner as the council  
134 determines, elect a student member who shall serve for the remainder  
135 of the term.

136 (b) The members of the committee and alternates for such members  
137 shall be elected by the [constituents] student government organization  
138 of the institution of higher education they are to represent, in  
139 accordance with procedures established by the respective boards of  
140 trustees, except the Connecticut Conference of Independent Colleges  
141 shall serve as the appointing authority for members to represent  
142 independent colleges and the Accredited Private Occupational Schools  
143 of Connecticut shall serve as the appointing authority for its member.  
144 The alternate members of the committee may serve in the absence of  
145 the regularly elected member.

146 (c) The committee shall, on a rotating basis among its members and  
147 by a consensus vote of all its members, elect its own [chairman and  
148 secretary] chairperson and vice chairperson, one of whom shall be a  
149 member from the Connecticut State University System and the other of

150 whom shall be a member of Charter Oak State College, and such other  
151 officers as it deems necessary, to serve for a term of two years. The  
152 committee shall be deemed to be a public agency within the scope of  
153 the Freedom of Information Act, as defined in section 1-200, and shall  
154 keep such records as may be appropriate.

155 (d) The committee, established pursuant to subsection (a) of this  
156 section, shall meet at least [twice annually] biannually with the Board  
157 of [Governors of] Regents for Higher Education. Agendas shall be  
158 prepared for such meetings and shall be distributed by the board prior  
159 thereto and shall consist of matters recommended for inclusion by the  
160 chairman of the Board of [Governors of] Regents for Higher Education  
161 and the committee. Such meetings shall be chaired by the chairman of  
162 the Board of [Governors of] Regents for Higher Education and the  
163 committee members shall have the right to participate in all  
164 discussions and deliberations, but shall not have the right to vote at  
165 such meetings.

166 Sec. 214. (NEW) (*Effective July 1, 2011*) (a) There shall be a faculty  
167 advisory committee to the Board of Regents for Higher Education to  
168 assist the board in performing its statutory functions. The committee  
169 shall consist of the following members: Three faculty members from  
170 the Connecticut State University System and one faculty member from  
171 Charter Oak State College. Such members shall serve a term of two  
172 years. If the membership of any such faculty member terminates, the  
173 constituent unit that elected such member shall, not later than thirty  
174 days after the membership terminates and in such manner as the  
175 council determines, elect a faculty member who shall serve for the  
176 remainder of the term.

177 (b) The members of the committee and alternates for such members  
178 shall be elected pursuant to a system-wide election by the faculty  
179 senates representing each of the constituent units they are to represent.  
180 The alternate members of the committee may serve in the absence of  
181 the regularly elected member.

182 (c) The committee shall, on a rotating basis among its members,  
183 elect its own chairperson and vice chairperson, one of whom shall be a  
184 member from the Connecticut State University System and the other of  
185 whom shall be a member of Charter Oak State College and such other  
186 officers as it deems necessary, to serve for a term of two years. The  
187 committee shall be deemed to be a public agency within the scope of  
188 the Freedom of Information Act, as defined in section 1-200 of the  
189 general statutes, and shall keep such records as may be appropriate.

190 (d) The committee, established pursuant to subsection (a) of this  
191 section, shall meet at least biannually with the Board of Regents for  
192 Higher Education. Agendas shall be prepared for such meetings and  
193 shall be distributed by the board prior thereto and shall consist of  
194 matters recommended for inclusion by the chairman of the Board of  
195 Regents for Higher Education and the committee. Such meetings shall  
196 be chaired by the chairperson of the Board of Regents for Higher  
197 Education and the committee members shall have the right to  
198 participate in all discussions and deliberations, but shall not have the  
199 right to vote at such meetings.

200 (e) Beginning on January 1, 2012, and annually thereafter, the  
201 faculty advisory committee shall report to the joint standing  
202 committees of the General Assembly having cognizance of matters  
203 relating to higher education and appropriations, in accordance with  
204 the provisions of section 11-4a of the general statutes, regarding the  
205 performance of its statutory functions and its biannual meetings with  
206 the Board of Regents for Higher Education.

207 Sec. 215. Section 10a-8 of the general statutes is repealed and the  
208 following is substituted in lieu thereof (*Effective July 1, 2011*):

209 (a) The provisions of sections 4-77 and 4-78 shall not apply to the  
210 constituent units of the state system of higher education, and for the  
211 purposes of said sections only, the Board of [Governors of] Regents for  
212 Higher Education shall be deemed the budgeted agency for [such  
213 constituent units] the Connecticut State University System and Charter

214 Oak State College. The Board of [Governors of] Regents for Higher  
215 Education shall develop a formula or program-based budgeting  
216 system to be used by each institution [and constituent board] in  
217 preparing operating budgets. The Board of [Governors of] Regents for  
218 Higher Education shall prepare a single [public higher education]  
219 budget request itemized by the [individual institution and branch]  
220 Connecticut State University System and the Board for State Academic  
221 Awards using the formula or program-based budgeting system and  
222 shall submit such budget request displaying all operating funds to the  
223 Secretary of the Office of Policy and Management in accordance with  
224 sections 4-77 and 4-78, subject to procedures developed by the Board of  
225 [Governors of] Regents for Higher Education and approved by said  
226 secretary. The budget request [of the Boards of Trustees of The  
227 University of Connecticut, the Community-Technical Colleges and the  
228 Connecticut State University System] shall set forth, in the form  
229 prescribed by the Board of [Governors of] Regents for Higher  
230 Education, a proposed expenditure plan which shall include: (1) The  
231 total amount requested for such appropriation account; (2) the amount  
232 to be appropriated from the General Fund; and (3) the amount to be  
233 paid from the tuition revenues of [The University of Connecticut, the  
234 regional community-technical colleges and] the Connecticut State  
235 University System. After review and comment by the Board of  
236 [Governors of] Regents for Higher Education, the proposed  
237 expenditure plans shall be incorporated into the single public higher  
238 education budget request including recommendations, if any, by said  
239 board. Any tuition increase proposed by [the Boards of Trustees of The  
240 University of Connecticut,] the Community-Technical Colleges [and  
241 the Connecticut State University System] for the fiscal year to which  
242 the budget request relates shall be included in the single public higher  
243 education budget request submitted by the Board of [Governors of]  
244 Regents for Higher Education for such fiscal year, provided if the  
245 General Assembly does not appropriate the amount requested by any  
246 such board of trustees, such board of trustees may increase tuition and  
247 fees by an amount greater than that included in the budget request in  
248 response to which the appropriation was made. The General Assembly



249 shall make appropriations directly to the constituent [unit boards. Said  
250 constituent unit boards shall allocate appropriations to the individual  
251 institutions and branches with due consideration to the program or  
252 formula-based budget used to develop the appropriation as approved  
253 by the General Assembly or as otherwise specified in the approved  
254 appropriation] units. Allotment reductions made pursuant to the  
255 provisions of subsections (b) and (c) of section 4-85 shall be applied by  
256 the Board of [Governors of] Regents for Higher Education among the  
257 appropriations to the constituent [unit boards] units without regard to  
258 the limitations on reductions provided in said section, except that said  
259 limitations shall apply to the total of the amounts appropriated to the  
260 higher education budgeted agencies. The Board of [Governors of]  
261 Regents for Higher Education shall apply such reductions after  
262 consultation with the Secretary of the Office of Policy and  
263 Management. [and the constituent unit boards.] Any reductions of  
264 more than five per cent of the appropriations of any constituent units  
265 shall be submitted to the appropriations committee which shall, within  
266 [ten] thirty days, approve or reject such reduction.

267 (b) The boards of trustees of each of the constituent units may  
268 transfer to or from any specific appropriation of such constituent unit a  
269 sum or sums totaling up to fifty thousand dollars or ten per cent of any  
270 such specific appropriation, whichever is less, in any fiscal year  
271 without the consent of the Finance Advisory Committee. Any such  
272 transfer shall be reported to the Finance Advisory Committee within  
273 thirty days of such transfer and such report shall be a record of said  
274 committee."

275 Strike sections 216 and 217 in their entirety and renumber the  
276 remaining sections and internal references accordingly.